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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/530,394 04/26/2000		TOMAS EDSTROM	SUNDS-112	5653
530 75	590 12/04/2002			
LERNER, DAVID, LITTENBERG, KRUMHOLZ & MENTLIK 600 SOUTH AVENUE WEST			EXAMINER	
			PARADISO, Jo	PARADISO, JOHN ROGER
WESTFIELD,	NJ 07090		ART UNIT	PAPER NUMBÉR
			3721	
			DATE MAILED: 12/04/2002	

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary    Summary			Application No.	Applicant(s)					
Examiner			09/530,394	EDSTROM	$\Omega d$				
John R. Paradiso   John R. Pa	Office Action Summary			Art Unit	<u></u>				
The MAILING DATE of this communication appears on the cover sheet with the correspondence address — Period for Reply  A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.  Eatherious of time may be available under the provisions of 3°CPR 1.18(6). In no event, however, may a reply be timely field the SM (6) ACCM*This from the mailing date of this communication, may within the statutory minimum of thinty (30) days will be considered timely.  If NO pead for may is a specified under the provisions are the mailing date of this communication, one of the communication of the property of the statutory provided in the statutory minimum of thinty (30) days will be considered timely.  If NO pead for may is a specified that the time the mailing date of this communication, even if finely fleet, may reduce any statutory provided in the communication of t			John R. Paradiso	3721					
A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.  1. Extensions of time may be available under the prostocate of 3° CPR 1.138(a). In no event, however, may a reply be timely field  1. If he pand for reply apposition above, the maximum statutory period with the statutory minimum of triny (30) days will be considered timely.  1. If he pand for reply apposition above, the maximum statutory period will apply ad will septing X(6) (MONTHS from the mailing date of this communication.  1. Plants is reply within the set or extended period for reply will, by statute, cause the application to become ASANCORD (30 U.S.C. § 135) earned patent term adjustment. See 3° CPR 1.704(a).  1. Status  1. Ne Responsive to communication(s) filled on 24 September 2002  2. 2a This action is FINAL.  2. 2b This action is non-final.  3. Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.  Disposition of Cialims  4) Claim(s) 6-24 is/are pending in the application.  4a) Of the above claim(s) is/are withdrawn from consideration.  5) Claim(s) 6-24 is/are rejected.  7) Claim(s) is/are allowed.  6) Claim(s) 6-24 is/are rejected.  7) Claim(s) is/are allowed.  8) Claim(s) 6-24 is/are rejected to by the Examiner.  10) The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner.  Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  11) The orath or declaration is objected to by the Examiner.  12      the orath or declaration is objected to by the Examiner.  12					iress				
THE MAILING DATE OF THIS COMMUNICATION.  Extractions of time may be available under the provisions of 3 CPR 1.13(a). In no event, however, may a reply be timely filled after SIX (6) MONTHS from the mailing class of this communication.  It is provided to make the provision of the communication of the communication of the communication of the provision of the pro		• •							
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Application/Control Number: 09/530,394

Art Unit: 3721

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#### **DETAILED ACTION**

### Claim Objections

Claims 22-24 are objected to because of the following informalities: they recite
dependency to a method claim, but also to claim 15, an apparatus claim.
 Appropriate correction is required.

# Claim Rejections - 35 USC § 103

- 2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:
  - (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.
- 3. Claims 6-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over JONSSON (US 5746120) in view of CHERNEY ET AL (US 5485712).

JONSSON discloses a method and apparatus for binding wire (12) around an object (13). A feed wheel (22), powered by a servomotor (24), feeds the wire along a wire guide rail (14). The guide is closed during feed and opened thereafter. The wire is knotted by tying member (15). The wire is fed first forward and then reversed, with position of the end of the wire being monitored. (See JONSSON column 2 line 49 to column 3 line 38 and Figure 1.)

JONSSON does not specifically disclose a separate measuring device for the wire.

Application/Control Number: 09/530,394

Art Unit: 3721

CHERNEY ET AL discloses a wrapping machine and method in which a length of wrapper (W) is fed over a continuously operating measuring unit (21) which is connected to a monitor (37) and servomotor (23).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of JONSSON by adding a measuring roll and sensor, as taught by CHERNEY ET AL, for the binding wire in order to more accurately determine the amount of binding material needed and used.

## Reference Citations

- 4. The following prior art made of record and not relied upon is considered pertinent to Applicant's disclosure:
- RODRIGUEZ ET AL discloses a binding machine in which wire is fed and then reversed.
- O'SULLIVAN discloses a binding machine in which wire is fed and then reversed.
- CHAK ET AL discloses a binding machine with a wire guide that is opened or closed as needed.
- GURAK ET AL discloses a binding machine with a wire guide that is opened or closed as needed.
- URBAN ET AL discloses a binding machine with a wire guide that is opened or closed as needed.

Page 4

Application/Control Number: 09/530,394

Art Unit: 3721

### Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to John Paradiso. The examiner can normally be reached Monday-Friday, 9:30 p.m. – 6:00 p.m. (ET).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rinaldi Rada, can be reached at the number listed below.

Any inquiry of a general nature or relating to the status of this application should be directed to the 3700 Technology Center receptionist.

Examiner John Paradiso

(703) 308-2825

December 2, 2002

Fax (Direct to Examiner): Supervisor Rinaldi Rada

(703) 746-3253 (703) 308-2187

Receptionist

(703) 308-1148